

WYOMING DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS DIVISION
SPECIAL EDUCATION COMPLAINT INVESTIGATION

Complaint Case: C-018-26 (Systemic)

Public Agency: Park County School District 6

Issues Investigated and Decision:

1. Whether the District implemented its child find procedures to ensure that a student who may be a student with a disability and who may need special education and related services was identified, located, and evaluated in conformity with 34 C.F.R. § 300.111.

WDE finds a violation. The District violated its ongoing affirmative child find obligations when it improperly delayed Students' special education evaluations and insisted on continued interventions through MTSS despite clear knowledge of academic struggles, regular dysregulation that impeded access to education, aggressive behaviors, task avoidance, extensive disciplinary removals including out-of-school and in-school suspensions, use of the isolation room, use of the SOAR room, consideration of an indefinite suspension, and documented need of crisis plans for multiple Students.

2. Whether the District afforded meaningful parental participation in conformity with 34 C.F.R. §§ 300.321, 300.322, 300.501, and 300.504.

WDE finds the District in violation of ensuring meaningful parental participation. The District proceeded with an eligibility determination in the absence of a Parent attending a meeting who asked to reschedule the meeting, and failed to provide PWN and Procedural Safeguards to Parents when required.

3. Whether the District provided Parents PWN in conformity with 34 C.F.R. § 300.503.

The WDE finds the District in violation of the IDEA's requirements to provide Parents a PWN within a reasonable time before proposing or

refusing to change the identification, evaluation, educational placement, or provision of a free appropriate public education.

4. Whether the District ensured that it assessed Student in all areas related to the suspected disability, that the evaluation included a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the Parent in conformity, and was sufficiently comprehensive to identify all of the Student's special education and related services needs in conformity with 34 CFR § 300.304.

WDE finds that the District violated the IDEA because the District failed to assess Students in all areas related to suspected disability that the evaluation included a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the Parent in conformity, and was sufficiently comprehensive to identify all of the Student's special education and related services needs.

5. Whether the District ensured that eligibility decisions were made by a qualified group of professionals and parents, drawing upon information from a variety of sources including parental input in conformity with 34 C.F.R. § 300.306.

WDE finds that the District violated the IDEA because the District failed to ensure that eligibility decisions were made by a qualified group of professionals and parents, drawing upon information from a variety of sources including parental input.

The District is required to correct the identified violations via a corrective action plan. The WDE will monitor and document compliance with the corrective action order. Once all corrective action is complete, WDE will close the case.